

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

XXAVIER LYMAS, Petitioner,  v.  DONNA ZICKAFOOSE, Respondent	: : : : : : : :	CIVIL NO. 1:CV-14-1793  (Judge Kane)
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**ORDER**

**AND NOW**, this 17<sup>th</sup> day of September, 2014, in accordance with the accompanying

Memorandum, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Petitioner is granted in forma pauperis status for the sole purpose of filing this action.
2. The petition for writ of habeas corpus is **dismissed**.
3. Petitioner, if he so chooses, may reassert his present claims in a properly filed civil rights action and/or file a request for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)A)(I)-(ii) and the procedures set forth in Bureau of Prisons Program Statement 5050.49.
4. The Clerk of Court is directed to forward to Petitioner two (2) copies of this court's form § 1331 civil rights complaint, an application to proceed in forma pauperis, and an Authorization form.
5. The Clerk of Court is directed to **close this case**.

S/ Yvette Kane  
YVETTE KANE, District Judge  
Middle District of Pennsylvania